

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION**

**LACI N. BLANCHARD,
INDIVIDUALLY, AND AS NEXT
FRIEND OF W.B., SURVIVING
MINOR CHILD OF RONNIE P.
BLANCHARD, JR.,**

V.

**SANARE ENERGY PARTNERS
LLC, ET AL.,
Defendants.**

CIVIL ACTION NO.
4:22-CV-2420

GEORGE C. HANKS, JR.

**MAGISTRATE JUDGE:
ANDREW M. EDISON**

**AGREED JOINT MOTION FOR CONTINUANCE OF
TRIAL SETTING & EXTENSION OF DEADLINES**

To the Honorable George C. Hanks, Jr., U.S. District Judge:

Laci N. Blanchard, Individually, and as next friend of W.B., the surviving minor child of Ronnie P. Blanchard, Jr. (“Plaintiffs”); Sanare Energy Partners, LLC; All Coast, LLC; SBS Energy Services, LLC; Warrior Energy Services Corporation dba Fastorq, LLC; Superior Energy Services – North America Services, Inc.; Hardy Oilfield Services, LLC; and NPC Land & Marine, LLC (“Defendants”); All Coast, LLC (“Cross Claimant”); Sanare Energy Partners LLC (“Cross Defendant”); SBS Energy Services, LLC (“Third Party Defendant”); and Sanare Energy Partners LLC (“Third Party Plaintiff”) (All of the above are collectively referred to as the “Parties”), file this Agreed Joint Motion for Continuance of Trial Setting and Extension of Deadlines. The Parties respectfully

request an extension to the current deadlines and trial setting, and that this Court issue an amended docket control order extending all deadlines at least six months. In support thereof the Parties respectfully show the Court as follows:

I. SUMMARY OF ARGUMENT & ISSUES TO BE DECIDED

1. The Parties respectfully request the Court extend all deadlines detailed in the current Docket Control Order signed on February 21, 2024, by at least six months.
2. Additionally, the Parties respectfully request the Court continue the current Docket Call and trial setting for at least six months, or for an additional time period convenient for the Court's schedule.
3. Pursuant to the Court's Procedures, the issues before this Court are (a) whether good cause exists to modify and extend the Docket Control Order, and (b) whether the Parties' failure to meet certain deadlines in the Docket Control Order was because of excusable neglect. *See* Ct. Procedures § 7(A)(3). The Parties maintain they have diligently litigated this case but have not been able to complete the necessary discovery due to the recent addition of new parties. Specifically, NPC Land & Marine, LLC, the party who made this request for an extension and continuance, has made an appearance on the same date this requested continuance is being filed. In addition to NPC Land & Marine, LLC additional parties were added

in the most recent Complaint dated May 15, 2024. As such, the Parties maintain good cause exists to extend the pre-trial deadlines and the Docket Call.

II. FACTUAL & PROCEDURAL BACKGROUND

A. Pertinent Factual Background

4. This wrongful death and survival case arises from fatal personal injuries sustained by Ronnie P. Blanchard, Jr. (“Decedent”) during an offshore accident. Plaintiffs claim on or about March 25, 2022, Decedent was attached to and working on a blowout preventer and pipe jack assembly, which was being erected on a caisson in the Gulf of Mexico, when it collapsed into the ocean thereby trapping Decedent underwater. *See* Pls.’ 1st Am. Compl. ¶ 11, ECF No. 11. As outlined below, Plaintiffs have made claims against all the Defendants as a result of the incident.

B. Pertinent Procedural Background

5. On June 2, 2022, Plaintiffs filed a lawsuit against Sanare in the District Court in Harris County, Texas, asserting wrongful death and survival claims based on theories of negligence, premises liability, and gross negligence.¹ *See* Pls.’ Orig. Pet. § VI, ECF No. 1 - 2. Sanare timely removed the case to this Court, invoking federal question jurisdiction pursuant to the Outer Continental Shelf Lands Act. *See* Sanare’s Notice Removal, ECF No. 1.

¹ Sanare timely answered and denies Plaintiff’s claims. *See* Def. Sanare’s Orig. Answer to Pls.’ Orig. Pet., ECF No. 6.

6. On August 16, 2022, Plaintiffs filed a First Amended Complaint adding SBS Energy and All Coast as defendants, as well as amending their claims against Sanare. *See generally* Pls.’ 1st Am. Compl. Specifically, Plaintiffs asserted negligence claims against Sanare and All Coast, and negligence and substantial certainty claims against SBS Energy.² *See id.* § V. Defendants deny these claims.

7. On June 6, 2023, All Coast filed its Cross-Claim for Defense and Indemnity against Sanare. *See* All Coast’s Cross-Claim for Defense and Indem., ECF No. 37. Sanare denies these claims. *See* Sanare’s Answer to All Coast’s Cross-Claim, ECF No. 40.

8. May 15, 2024, Plaintiffs filed a Third Amended Complaint adding Warrior Energy Services Corporation; Superior Energy Services-North America Services, Inc.; Hardy Oilfield Services, LLC; and NPC Land & Marine LLC as defendants. *See generally* Pls.’ 3rd Am. Compl. ECF No. 74. Specifically, Plaintiffs asserted (a) negligence claims against Sanare, All Coast and NPC, also stating Sanare is liable for the negligence of All Coast and SBS because Sanare controlled the work of All Coast, SBS Warrior/Superior, NPC, and Hardy; (b) negligence and substantial certainty claims against SBS Energy.³ *See id.* § V. Defendants deny these claims; (c) Negligence against Defendants Warrior/Superior; (d) Joint Enterprise Against Warrior/Superior; (e) Negligence against Defendant Hardy; (f) Negligence against

² Plaintiff Laci N. Blanchard seeks a variety of damages in her individual capacity as well as on behalf of W.B.

³ Plaintiff Laci N. Blanchard seeks a variety of damages in her individual capacity as well as on behalf of W.B.

NPC; and (g) Vicarious Liability, Agency, and Dual Employer for the Negligence of the Company Men of Sanare and NPC.

9. This case is currently set for Docket Call on August 9, 2024. *See* Docket Control Order at Doc 50 dated February 21, 2024. This is the Parties' first request for a modification to the Docket Control Order and the Second request for continuance in this case.

III. ARGUMENT & AUTHORITIES

A. Continuance is Necessary and is Not Opposed

10. A continuance is needed in this case. Moreover, all of the parties agree to a continuance. Pursuant to TEX. R. CIV. P. 251, a continuance may be granted upon a showing of sufficient cause supported by affidavit, by consent of the parties, or by operation of law. A motion for continuance must be in writing, contain the specific facts supporting the motion, and be verified or supported by affidavit. *See Blake v. Lewis*, 886 S.W.2d 404, 409 (Tex. App.—Houston [1st Dist.] 1994, no writ). When a motion for continuance is in substantial compliance with Rule 251, is not controverted, and is properly verified, the trial court must accept the statements therein as true. *Verkin v. Southwest Ctr. One, Ltd.*, 784 S.W.2d 92, 94 (Tex. App.—Houston [1st Dist.] 1989, writ denied).

11. In the instant case, a continuance is proper because all of the parties are in agreement to a continuance from the current deadlines and trial setting. The purpose of the continuance is to allow the newly added parties to complete discovery,

including fact witness and expert discovery, prior to trial. For the reasons discussed herein, the parties request a continuance of the August 2024 trial setting. The continuance is not sought for delay only, but so that justice may be done.

IV. CONCLUSION AND PRAYER

12. The Parties respectfully request the Court enter an amended docket control order which extends all deadlines contained therein, including the Docket Call by at least 6 months. The Parties respectfully request any and all further relief to which they may show themselves justly entitled.

Dated: June 7th, 2024

Respectfully submitted,


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Cross Claimant

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Cross Defendant

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Caroline Elizabeth Bossier
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Constance C Waguespack
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Mitchell Robert Austin
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Robert Edward Freehill , Jr
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Third Party Defendant

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Henry H LeBas
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Third Party Plaintiff

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CERTIFICATE OF CONFERENCE

On May 28, 2024, counsel for NPC Land & Marine, LLC contacted counsel for the various parties regarding the Motion for Continuance. All are in agreement.


Shannon R. Ramirez

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon all counsel of record via the Court's ECF notification system, pursuant to the Federal Rules of Civil Procedure on June 7th, 2024.



Shannon R. Ramirez